


Chairman Linda W. Cropp

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Linda W. Cropp introduced the following bill, which was referred to the Committee on

To establish the act of terrorism and the possession of a weapon of mass destruction as crimes and to assess criminal penalties; and to amend An Act To establish a code of law for the District of Columbia to increase the penalties for crimes committed during an act of terrorism.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Anti-Terrorism Act of 2001".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Act of terrorism" means activities that involve violent acts or acts dangerous to human life that are in violation of the criminal laws of the District of Columbia, and that are intended to:

(A) Intimidate or coerce a civilian population;

(B) Influence the policy of a unit of government by intimidation or coercion;

(C) Retaliate against government conduct; or

(D) Affect the conduct of a unit of government by murder, assassination,	1
or kidnapping.	2
(2) "Weapon of mass destruction" means:	3
(A) Any destructive device including:	4
(1) An explosive, incendiary, or poison gas bomb, grenade, rocket,	5
missile, mine, or similar device;	6
(2) Any weapon which will, or may be readily converted to, expel a	7
projectile by the action of an explosive or other propellant, and which has a barrel with a bore	8
more than one-half inch in diameter; and	9
(3) Any combination of parts either designed or intended for use in	10
converting any device into a destructive device.	11
(B) Any weapon that is designed or intended to cause death or serious	12
bodily injury through the release, dissemination, or impact of toxic or poisonous chemicals;	13
(C) Any weapon involving a disease organism; or	14
(D) Any weapon that is designed to release radiation or radioactivity at a	15
level dangerous to human life.	16
Sec. 3. Criminal offense and penalties.	17
(a) An act of terrorism shall be considered a separate criminal offense and a person who	18
commits of an act of terrorism shall, upon conviction, be punished by imprisonment for life.	19
(b) An act of possessing a weapon of mass destruction shall be a separate criminal offense	20
and a person who commits an act of possessing a weapon of mass destruction shall, upon	21
conviction, be punished by imprisonment for a term of not less than 10 years or more than life.	22

Sec. 4. Chapter 19 of An Act To establish a code of law for the District of Columbia,
approved March 3, 1901 (31 Stat. 1321; D.C. Official Code § 22-101 *et seq.*), is amended as
follows:

(a) A new section 803a is added to read as follows:

“Any person convicted of assault with intent to commit an act of terrorism shall be
sentenced to imprisonment for not less than 10 years or more than 20 years.”.

(b) Section 798 (D.C. Official Code § 22-2101) is amended to read as follows:

"Whoever, being of sound memory and discretion, kills another purposely, either of
deliberate and premeditated malice, by means of poison, or by an act of terrorism, or in
perpetrating or attempting to perpetrate an offense punishable by imprisonment in the
penitentiary, or without purpose to do so kills another in perpetrating or attempting to perpetrate
an act of terrorism as defined in section 2 of the Anti-Terrorism Act of 2001, in perpetrating or in
attempting to perpetrate any arson, as defined in section 820 or 821, first degree sexual abuse,
first degree child sexual abuse, first degree cruelty to children, mayhem, robbery, or kidnaping, or
in perpetrating or attempting to perpetrate any housebreaking while armed with or using a
dangerous weapon, or in perpetrating or attempting to perpetrate a felony involving a controlled
substance, is guilty of murder in the first degree.".

Sec. 5. An Act To prevent the giving of false alarms of fires in the District of Columbia,
approved June 8, 1906 (34 Stat. 220; D.C. Official Code § 22-1319), is amended by adding a
new section 1a to read as follows:

"Sec. 1a. It shall be unlawful for any person to wilfully or knowingly give a false alarm or
report of a bomb within the District of Columbia and any person violating the provisions of this

subsection shall, upon conviction, be deemed guilty of a misdemeanor and be punished by a fine not exceeding \$10,000, imprisonment of not more than 12 months, or both."

Sec. 6. Section 908A(a) of An Act To establish a code of law for the District of Columbia, approved July 29, 1970 (84 Stat. 598; D.C. Official Code § 22-1805a(a)), is amended to read as follows:

"(a)(1) Except as provided in paragraph (2) of this subsection, if 2 or more persons conspire either to commit a criminal offense, or to defraud the District of Columbia or any court or agency thereof in any manner or for any purpose, each shall be fined not more than \$10,000 or imprisoned not more than 5 years, or both, except that if the object of the conspiracy is a criminal offense punishable by less than 5 years, the maximum penalty for the conspiracy shall not exceed the maximum penalty provided for that offense.

"(2) If 2 or more persons conspire to commit an act of terrorism or to use a weapon of mass destruction, each shall be imprisoned for a period of not less than 10 years and not more than 20 years."

Sec. 7. Section 801a(b) of An Act To establish a code of law for the District of Columbia, effective September 26, 1992 (D.C. Law 9-153; D.C. Official Code § 22-2104.01(b)), is amended as follows:

(a) Strike the word "or" at the end of paragraph (11).

(b) A new paragraph (11A) is added to read as follows:

"(11A) The murder was committed in the course of an act of terrorism; or".

Sec. 8. Section 1 of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules

of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4501), is amended to read as follows:

"(f) "Crime of Violence," as used in this chapter, means any of the following crimes, or attempt to commit any of the same, namely: Murder, manslaughter, act of terrorism, first degree sexual abuse, second degree sexual abuse, or child sexual abuse, mayhem, maliciously disfiguring another, abduction, kidnapping, burglary, robbery, housebreaking, any assault with intent to kill, assault with intent to commit an act of terrorism, commit first degree sexual abuse, second degree sexual abuse, or child sexual abuse, or robbery, assault with a dangerous weapon, assault with intent to commit any offense punishable by imprisonment in the penitentiary, arson, or extortion or blackmail accompanied by threats of violence or aggravated assault."

Sec. 9. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602 (c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 10. Effective date.

This act shall take effect following approval by the Mayor (or in the event of a veto by the Mayor, action by the Council to override the veto), a 60-day period of Congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.